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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
NGUYEN, TAI T	

ART UNIT	PAPER NUMBER
2632	

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/711,368	CUDDIHY ET AL.	
	Examiner	Art Unit	
	Tai T. Nguyen	2632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 August 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 25 is rejected under 35 U.S.C. 102(b) as being anticipated by Aoshi (JP 2000-285347).

Regarding claim 25, Aoshi discloses a crash notification method (figure 1) comprising:

an occupant sensor (13) for generating a occupant sensor status signal (figure 2);

a crash sensor (12) for generating a crash status signal (figure 2);

a GPS receiver (8, figure 1) for generating a vehicle position signal (figure 2);

a controller (7) coupled to the occupant sensor, the crash sensor, and the GPS receiver for generating a communication signal as a function of occupant sensor status signal, crash status signal, and the vehicle position signal (figure 2);

transmitting the communication signal to a response center (2) through the communication network (abstract/solution);

wherein the response center determining the nearest public service answering point (3, 4); and

contacting the public service answering point as a native caller (figure 1).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-9, 11-17, and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoshi (JP 2000-285347) in view of Yanagi (JP 08-287386).

Regarding claim 1, Aoshi discloses a crash notification system (figure 1) coupled to a communication network (figure 2) having a response center (2) comprising:

an occupant sensor (13) for generating a occupant sensor status signal (figure 2);

a crash sensor (12) for generating a crash status signal (figure 2); and

a controller (7) coupled to the occupant sensor and the crash sensor, the controller determining angular direction force from the crash sensor and generating a communication signal that is communicated to the response center through the communication network corresponding to the occupant sensor status signal and the crash status signal (abstract/solution).

Aoshi discloses the instant claimed invention except for specific crash sensor locating in front or side on the vehicle. Yanagi teaches a vehicle accident notification system (figure 1) including a plurality of crash sensors (Si...Sn) locating in front, side,

and back of the vehicle (figure 2) for detecting front, side, and back impact and generating crash signal therefrom (pages 3-4 of detail description). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the front, side, and back sensors as taught by Yanagi in the system as disclosed by Aoshi for the purpose of detecting impact on a plurality location of vehicle body in order to determine the level/angular of impact to notify the response center to provide assistance in case of serious collision.

Regarding claims 2-4, Aoshi discloses the occupant sensors (13) detecting the number of passengers in a vehicle (2, abstract).

Regarding claims 5-8, Aoshi discloses a seat belt fastening sensor (14) for generating a seat belt status signal and the controller generating a communication signal corresponding to the occupant sensor status signal, the crash status signal and seat belt status signal (figure 2).

Regarding claim 9, Aoshi discloses the instant claimed invention except for a vertical acceleration sensor generating a vertical acceleration signal. Yanagi teaches an attitude-sensing sensor (Sf, figure 1) for detecting the unusual dip of vehicle (paragraph 15 of detail description). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the attitude-sensing sensor as a vertical acceleration sensor as taught by Yanagi in the system as disclosed by Aoshi for the purpose of detecting flip over condition at the time of the accident.

Regarding claim 11, refer to claims 1 and 9 above.

Regarding claim 12, refer to claim 10 above.

Regarding claim 13, refer to claim 1 above.

Regarding claim 14, refer to claims 2-4 above.

Regarding claims 15-17, refer to claims 5-8 above.

Regarding claims 27-28, the claimed method steps would have been inherent in the product structure as stated in claims 1 and 9 above.

5. Claims 10 and 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoshi and Yanagi as applied to claim 1 above, and further in view of Tognazzini (US 5,914,675).

Regarding claim 10, Aoshi, as modified, disclose the instant claimed invention except for system further comprising a vehicle identification number memory having a vehicle identification number (VIN) stored therein. Yanagi teach a memory circuit (21, figure 1) for storing body number, type of a car, and owner information (paragraph 16). Tognazzini teach an emergency location device (10, figure 1) including a vehicle identification number memory (52a) for storing vehicle identification number therein and a controller 24a) for generating a communication signal to a response center (12, col. 5, lines 36-52). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the memory circuit/vehicle identification memory as taught by Yanagi/Tognazzini to in the system as disclosed by Aoshi for the purpose of storing VIN and transmitting VIN to the response center in order to identify the vehicle involve in the accident.

Regarding claims 18 and 20-21, refer to claims 1 and 10 above.

Regarding claim 19, Aoshi, as modified, disclose the instant claimed invention except for the response center generates a decode vehicle signal in response to the vehicle identification signal. Tognazzini teaches a response center (12, figure 1) including a status decoders (62) to decode the received digital data from the emergency locator device (10) into the vehicle status information (col. 5, line 65 through col. 6, line 10).

Regarding claim 22, refer to claim 5-8 above.

Regarding claims 23-24, refer to claims 1 and 5-8 above.

6. Claims 26 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoshi in view of Tognazzini (US 5,914,675).

Regarding claim 26, Aoshi discloses the response center further coupling the communication signal to the public service answering point but fails to disclose the step of displaying the crash status and the occupant sensor status. Tognazzini teach response center (12, figure 1) having a display (64) for displaying status information (col. 6, lines 3-11). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the display as taught by Tognazzini in the system as disclosed by Aoshi for the purpose of providing status information to the rescuer in order to determine the scale of the rescue preparation.

Regarding claim 29, Aoshi, as modified, disclose the instant claimed invention except for system further comprising a vehicle identification number memory having a vehicle identification number (VIN) stored therein and decoding the vehicle identification

number into vehicle information. Yanagi teach a memory circuit (21, figure 1) for storing body number, type of a car, and owner information (paragraph 16). Tognazzini teach an emergency location device (10, figure 1) including a vehicle identification number memory (52a) for storing vehicle identification number therein and a controller 24a) for generating a communication signal to a response center (12, col. 5, lines 36-52) and response center (12) having a status decoders (62) to decode the received digital data from the emergency locator device (10) into the vehicle status information (col. 5, line 65 through col. 6, line 10). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the vehicle identification memory and decoder as taught by Tognazzini to in the system as disclosed by Aoshi for the purpose of storing VIN and transmitting VIN to the response center and decode the received signal in order to identify the vehicle involve in the accident.

Response to Arguments

7. Applicant's arguments filed August 11, 2005 have been fully considered but they are not persuasive.

Applicant argues that Aoshi make no distinction between a native caller and a non-native caller. Examiner does not agree. Applicant has not claimed any particular distinctions between native and non-native callers. Applicant merely claims that the contact is made with the public service answering point as a native caller.

Applicant argues that Aoshi does not teach or suggest the use of a front crash signal and a side crash signal to determine the direction of force and determining the angular direction of the force. Examiner does not agree. Yanagi teaches the use of a plurality of sensors located at different points, including the front and side of the vehicle, to provide collision conditions. Applicant has not claimed any specific determination being made other than the angular direction of force. Yanagi teaches the sensors determining the type of collision, see page 4, lines 1-6.

Applicant argues that the combination fail to teach the controller providing a communication signal corresponding the occupant sensor, status signal, and vehicle identification. Examiner does not agree. Aoshi, as modified, disclose the communication signal providing status of the occupant sensor and status signal. Tognazzini teaches locating a vehicle using the vehicle identification. Therefore, it would have been obvious to combine the locating/identification technique of Tognazzini with Aoshi, as modified, for the purpose of easily identifying the particular vehicle involved in a collision.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Brown et al. (US 6,142,524) and Kimura (US 5,969,598).

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tai T. Nguyen whose telephone number is (571) 272-2961. The examiner can normally be reached on Monday-Friday from 7:30am-5:00pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 7, 2005
Tai T. Nguyen
Examiner
Art Unit 2632

Thomas J. Mullen, Jr.
Primary Examiner
Art Unit 2632

11-14-05